



Psychiatric Security Review Board

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DOUGLAS A. DUCEY, GOVERNOR
JAMES P. CLARK, M.D., CHAIRPERSON
www.azdhs.gov/psrb

ARIZONA STATE PSYCHIATRIC SECURITY REVIEW BOARD OPEN SESSION MINUTES January 26, 2018

Members:

James P. Clark, M.D., Chairperson
Chandrika Shankar, M.D., Vice-Chairperson
Susan Stevens, Esq.
Paul O'Connell
Michael J. Klemens, Ph.D.

Assistant Attorney General:

Thomas Raine, Esq., for the Psychiatric Security Review Board

Staff:

Jaime L. Shapiro, Executive Director

Guests Present and/or Participating:

Aaron Nelson, ASH
Allyson Friestleben, ASH
Ashley Blum, Esq., Maricopa County
Deputy Public Defender
Chelsea Brown, ASH
Cole Arigoni, Mercy Maricopa Integrated
Care
David Joslyn, ASH
Dawood Mulla, M.D., ASH
Deb Styer, ASH
Jessica Lamar, ASH
Jill Early, Plan of AZ

John J. Toma, Ph.D.
Laurie Shea, AHCCCS
Manuel Gray, La Frontera-EMPACT
Robert Smith
Scott Norman, ASH
Stephanie Smith, ASH
Susan Puglisi, ASH
Tammy Wray, Esq., Maricopa County
Deputy Public Defender
Telly Rivenburgh, Cenpatico Integrated
Care

Call To Order:

James P. Clark called the meeting to order at 1:04 p.m. and read the Executive Session Confidentiality Statement:

“Minutes of and discussions made in executive session are required by law to be kept confidential and shall not be communicated to any person outside this meeting room, except to members of the Board, a person who is the subject of the discussion pursuant to Arizona Revised Statutes (A.R.S.) §38-431.03(A)(1), the auditor general in connection with an audit authorized by law and the attorney general.”

Dr. Clark swore in individuals who anticipated testifying.

Statutory Hearings:

Kelly Louise Blake – PSRB No. 01-10

Kelly Blake was present with her attorney, Tammy Wray. The statutory hearing was held from 1:06 p.m. to 1:52 p.m. pursuant to Arizona Revised Statutes (A.R.S.) § 13-3994(H). ASH recommended conditional release to the Hospital, phase one, levels one and two. Ms. Blake requested conditional release to the Hospital, phases one and two, levels one through three.

Louis Caputo stated that the Arizona State Hospital (ASH) is in support of Diana Walayat’s report. Tammy Wray stated that Ms. Blake’s request is based on her unique needs and would allow for a greater flexibility for ASH to implement off-grounds passes. She added that Ms. Blake’s transition to the community will be different than most people and this request reflects Ms. Blake’s needs.

Jill Early from Plan of AZ testified that additional supports unique to Ms. Blake’s needs have been identified, such as burn support, animal and art therapies. Ms. Early discussed her involvement in Ms. Blake’s recovery such as accompanying Ms. Blake to burn support without a direct impact on ASH staff. It was explained how Plan of AZ came to be in the service of Ms. Blake.

A motion was made by James Clark, seconded by Paul O’Connell and passed unanimously to recess into executive session at 1:17 p.m. to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2).

After consideration in executive session, the Board reconvened in open session at 1:43 p.m.

In open session, Dr. Klemens and the ASH treatment team had a general discussion about planning activities for a typical level one pass. The Board members expressed wanting to find a way to allow Ms. Blake to go to her burn support group on phase one passes, and Mr. Caputo argued that the PSRB has no authority to urge or recommend any form of treatment to ASH staff.

A motion was made by James Clark, seconded by Michael Klemens and passed 4 – 1 to approve Kelly Blake for conditional release to Arizona State Hospital, phase one, levels one and two, and adopt the conditional release treatment plan presented by ASH, with the addendum that the treatment team make every effort to assist Ms. Blake in attendance to a burn support group, based on the evidence presented by the Arizona State Hospital's treatment team, that Ms. Blake's mental disease or defect is in stable remission and she is not dangerous if she remains a resident of the State Hospital and is compliant with the terms of conditional release and the treatment plan presented today.

Chandrika Shankar opposed the motion citing that she was inclined to approve Ms. Blake's request for levels one through three.

Robert Earl Bible – PSRB No. 13-07

Robert Bible was present with his attorney, John W. Blischak. The statutory hearing was held from 1:53 p.m. to 2:11 p.m. pursuant to A.R.S. § 13-3994(H). ASH recommended conditional release to the Hospital, phase two, levels three and four.

Robert Smith, Mr. Bible's Alcoholics Anonymous (AA) sponsor, gave a detailed account of Mr. Bible's recovery.

Dr. Klemens pointed out that Mr. Bible's conditional release plan indicates that 18 months must elapse prior to consideration of advancement to the next privilege level, and asked why the team is recommending Mr. Bible about four months early. Summer Schneider said the team believes Mr. Bible is ready to move onto the next privilege level and further detailed Mr. Bible's recovery and growth, such as completion of individual therapy, increased group attendance, improved family relationships, all leading to a decreased risk of dangerousness.

A motion was made by James Clark, seconded by Michael Klemens and passed unanimously to recess into executive session at 2:04 p.m. to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2).

After consideration in executive session, the Board reconvened in open session at 2:10 p.m.

In open session, a motion was made by Paul O'Connell, seconded by Michael Klemens and passed unanimously to approve Robert Bible for conditional release to Arizona State Hospital, phase two, levels three and four, and adopt the conditional release treatment plan, based on the evidence presented by the Arizona State Hospital's treatment team, that Mr. Bible's mental disease or defect is in stable remission and he is not dangerous if he remains a resident of the State Hospital and is compliant with the terms of conditional release and the treatment plan presented today.

Benjamin Griffin Piette – PSRB No. 14-04

Benjamin Piette was present with his attorney, John W. Blischak. The statutory hearing was held from 2:12 p.m. to 2:16 p.m. pursuant to A.R.S. §§ 13-3994(H). There was no recommendation.

Mr. Blischak shared that he spoke with Mr. Piette's treating physician who said that Mr. Piette had made some improvement, and requested that the Board continue the hearing for three months.

After discussion, a motion was made by James Clark, seconded by Paul O'Connell and passed unanimously to continue the hearing to April 27th.

Discussion, Consideration and Possible Action Related to:

Upcoming PSRB Changes:

Thomas Salow and Margaret McLaughlin from the Arizona Department of Health Services (ADHS) were present to answer questions the Board had about the decision to move the PSRB to the DHS building at the government mall. Ms. McLaughlin said she and Mr. Salow were not part of the decision making process and they do not anticipate an interruption to the Board's regular business. Discussion was held around the separation of the State Hospital and the PSRB, administrative support for Ms. Shapiro, space for PSRB records, and the conflict of interest presented when Executive Director is employed by ASH.

Review and Approval of the 2017 Annual PSRB Report

Board members and staff discussed how the data was gathered and edits were discussed. The Board directed Ms. Shapiro to draft the edits and present it to Dr. Clark for review.

ASH Training/Education of Pass Supervisors:

This item was set in anticipation that the ASH Chief Medical Officer would be in attendance to explain. The Board deferred to next month.

Board Member Compensation Billing Policy:

An example of another Board's billing policy was reviewed and discussed. The Board directed Ms. Shapiro to draft a policy and present it at a future meeting.

Nomination and Election of a Board Chairperson and Vice-Chairperson:

After discussion, a nomination was made by Susan Stevens, seconded by James Clark and passed unanimously for Chandrika Shankar to serve a one year term as Vice-Chairperson of the Board.

A nomination was made by Michael Klemens, seconded by Susan Stevens and passed unanimously for James Clark to serve a one year term as Chairperson of the Board.

Discussion, Amendment and Approval of Minutes:

Open session minutes from the December 15, 2017, meeting:

After discussion, a motion was made by James Clark, seconded by Susan Stevens and passed unanimously to approve the open session minutes, as amended.

Executive session minutes from the December 15, 2017, meeting:

After discussion, a motion was made by James Clark, seconded by Michael Klemens and passed unanimously to approve the executive session minutes, as amended.

Identification of Future Agenda Items:

Ms. Shapiro listed the billing policy and training and education of pass supervisors for the next meeting agenda.

Adjournment:

The Board meeting was adjourned at 2:55 p.m.